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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/815,649
		Filing Date	April 2, 2004
		First Named Inventor	Kia Silverbrook
		Art Unit	2852
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	HYJ002US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Kia Silverbrook, Paul Lapstun, Jan Rusman, Peter Charles Boyd Henderson, Alireza Moini, Zhenya Alexander Yourlo, Matthew John Underwood, Nicholas Damon Ridley	
Signature		
Date	May 19, 2005	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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In the United States Patent and Trademark Office

Serial Number: 10/815,649
Application Filed: April 2, 2004
Applicant: Kia Silverbrook, Paul Lapstun, Jan Rusman, Peter Charles Boyd Henderson, Alireza Moini, Zhenya Alexander Yourlo, Matthew John Underwood, and Nicholas Damon Ridley
Application Title: Scanning Device for Coded Data
Examiner/GAU: Lead Petitions Examiner 2852
Dated May 18, 2005
At: Balmain, NSW
Docket No. HYJ002US

RENEWED PETITION UNDER 37 CFR 1.78(a)(3)

Commissioner for Patents
Washington, District of Columbia 20231

In reply to the Dismissed Petition dated April 29, 2005, the Applicants now submit a renewed petition under 37 CFR 1.78(a)(3).

Amendments to the Specification begin on page 2 of this paper. The Applicant submits that these amendments introduce no new matter.

Amendments to the Specification:

A paragraph beginning at Page 1, line 2, (the first sentence following the Title), is to be added as follows:

Cross-Reference to Related Application

This application is a Continuation-in-Part of US Application No. 10/778,056, filed on February 17, 2004.

REMARKS/ARGUMENTS

In reply to the Dismissed Petition dated April 29, 2005, the Applicants have corrected Page 1 of the Specification and also filed an Application Data Sheet containing a reference to the earlier filed nonprovisional application. That is, this application is claiming the benefit of prior-filed copending US Application No. 10/778,056, filed on February 17, 2004 only.

The amended specification is being filed in accordance with the requirements of 37 CFR 1.78(a)(2)(iii). The Applicants respectfully submit that "a claim" has not been added to the specification (merely a reference to an earlier filed application has been added), and therefore the requirements of 37 CFR 1.52(b)(3) are not relevant in this instance.

The Applicants would be grateful if a corrected filing receipt showing the correct "Domestic Priority Data as claimed by Applicant" could be issued.

The surcharge under 37 CFR 1.17(t) was already submitted with our Petition dated September 23, 2004.

Enclosed is a Petition to accept an unintentionally delayed claim under 35 U.S.C. 120.

**PETITION TO ACCEPT AN UNINTENTIONALLY
DELAYED CLAIM UNDER 35 U.S.C. 120**

The Applicant hereby petitions to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of a prior-filed application, in accordance with 37 C.F.R. 1.78(a)(3).

- With respect to 37 C.F.R. 1.78(a)(3)(i), the reference required by 35 U.S.C. 120 and 37 C.F.R. 1.78(a)(2)(i) is being concurrently filed herewith. This reference is contained in amended page 1 of the specification and an Application Data Sheet filed herewith.
- With respect to 37 CFR 1.78(a)(3)(ii), the surcharge set forth in 37 C.F.R. 1.17(t) has already been paid with our Petition dated September 23, 2004.
- With respect to 37 C.F.R. 1.78(a)(3)(iii), it is submitted that the entire delay between the date the claim was due under 37 C.F.R. 1.78(a)(2)(ii) and the date the claim is being filed concurrently herewith was unintentional.

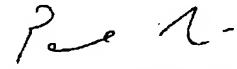
It is hereby submitted that this petition is timely filed and meets the priority claim referred to by the Lead Petitions Examiner.

Very respectfully,

Applicants:



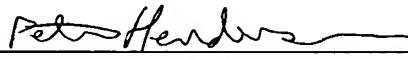
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Application Data Sheet

Application Information

Application Type::	Regular
Subject Matter::	Utility
CD-ROM or CD-R?::	None
Title::	Scanning Device for Coded Data
Attorney Docket Number::	HYJ002US
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	157
Small Entity?::	No
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

Applicant Information

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Correspondence Information

Correspondence Customer Number:: 24011

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	Continuation-in- Part of	10/778,056	02/17/2004

Foreign Priority Information

Country::	Application Number::	Filing Date::	Priority Claimed::
Australia	2003900746	02/17/2003	Yes

Assignee Information

Assignee Name::

Silverbrook Research Pty Ltd